

**REMARKS**

In accordance with the foregoing, the specification has been amended to improve form and provide improved correlation with the drawings and claims. Claims 1, 5-9, 13, 17, 21-25, 29, 43, and 47-50 have been amended, claims 2-4, 10-12, 14-16, 18-20, 26-28, 30-32, 44-46, and 51-58 have been cancelled without prejudice or disclaimer, claims 64-69 have been added, claims 1, 5-9, 13, 17, 21-25, 29, 33-43, 47-50, and 59-69 are pending, claims 1, 5-9, 13, 17, 21-25, 29, 47-50, and 64-69 are under consideration, and claims 33-42 and 59-63 have been withdrawn. The independent claims 1, 17, and 43 have been amended to clarify the subject matter originally recited in the filed claims, as well as to limit the claims in order to overcome the Examiner's rejections. Claims 5-9, 13, 21-25, 29, and 47-50 have been amended to fix grammatical errors, provide antecedent basis for the claims, and modify dependencies of the claims. No new matter is presented in this Amendment.

**REJECTIONS UNDER 35 U.S.C. §102:**

Claims 1-12, 17-28, and 43-58 are rejected under 35 U.S.C. §102(b) as being anticipated by Kondo et al. (U.S. Publication No. 2002/0110067), hereinafter "Kondo '067." The Applicants respectfully traverse the rejection and request reconsideration.

Regarding the rejection of independent claim 1, it is noted that amended claim 1 teaches a method of modulating address data of a recording medium by generating a unit wobble signal, where "the unit wobble signal is alternatively one of at least four different unit wobble signals and has N carriers," and a portion of the unit wobble signal is modulated using a different modulation method. In contrast, Kondo '067 discloses a method of recording by using different modulation methods. That is, while the instant application recites a method of using a different modulation method on a **portion** of the unit wobble signal, Kondo '067 recites a recording by using different modulation methods on an entirety of the address code. Furthermore, Kondo '067 does not disclose the unit wobble signal that is alternatively one of at least four different unit wobble signals (as opposed to, for example, two different unit wobble signals corresponding to 0 and 1) having N carriers. For example, the four different unit wobble signals may correspond to 00, 01, 10, and 11. Therefore, the Applicants respectfully submit that Kondo '067 fails to disclose, implicitly or explicitly, a generating of a unit wobble signal that is one of at least four different unit wobble signals having N carriers and a portion of which is modulated using a different modulation method than another portion, as recited in amended claim 1.

Regarding the rejection of claims 2-4, as noted above, these claims have been cancelled without prejudice or disclaimer. Accordingly, the rejection of claims 2-4 is now moot.

Regarding the rejection of claim 5, it is noted that this claim depends from claim 1 and is, therefore, allowable for at least the reasons set forth above. Furthermore, it is noted that amended claim 5 recites an inserting of signals of address data generated by the second modulation method between pattern signals of the address data generated by the first modulation method to indicate the coded address data. In contrast, Fig. 9 and paragraph [00167] cited by the Examiner disclose a recording of address data using an amplitude modulation method, and Fig. 10 and paragraph [0171] cited by the Examiner disclose a recording of address data using a frequency modulation method. However, Kondo '067 does not suggest a method of combining the two signals of the address data. Each of the cited portions of Kondo '067 discloses a uniform recording of address data (as opposed to a portion recorded with one modulation method and another portion recorded with another modulation method). Therefore, the Applicants respectfully submit that Kondo '067 fails to disclose, implicitly or explicitly, a method of inserting signals of address data generated by a modulation technique between signals of the address data generated by another modulation technique, as recited in claim 5.

Regarding the rejection of claims 6-8, it is noted that these claims depend from claim 1 and are, therefore, allowable for at least the reasons set forth above.

Regarding the rejection of claim 9, it is noted that this claim depends from claim 1 and is, therefore, allowable for at least the reasons set forth above. Furthermore, it is noted that claim 9 teaches a generating of a signal that indicates a start of the coded address data. In contrast, Kondo '067 discloses only the recording of the address data. Specifically, the Examiner cites Fig. 12 as a teaching of the signal indicating the start of the coded address data. However, Fig. 12 only illustrates a Phase modulation signal of the address data, and does not illustrate a signal indicating the start of the address data. Therefore, the Applicants respectfully submit that Kondo '067 fails to disclose, implicitly or explicitly, a generating of a signal indicating a start of the coded address data, as recited in claim 9.

Regarding the rejection of claims 10-12, as noted above, these claims have been cancelled without prejudice or disclaimer. Accordingly, the rejection of claims 10-12 is now moot.

Regarding the rejection of independent claim 17, it is noted that amended claim 17 teaches an apparatus that reproduces a unit wobble signal of a coded address data of a

recording medium, where "the unit wobble signal is alternatively one of at least four different unit wobble signals and has N carriers," and a portion of the unit wobble signal is modulated using a different modulation method. In contrast, Kondo '067 discloses a method of recording by using different modulation methods. That is, while the instant application recites a unit wobble signal that is modulated by using a different modulation method on a **portion** of the unit wobble signal, Kondo '067 recites a recording by using different modulation methods on an entirety of the address code. Furthermore, Kondo '067 does not disclose the unit wobble signal that is one of at least four different unit wobble signals (as opposed to, for example, two different unit wobble signals corresponding to 0 and 1) having N carriers. Therefore, the Applicants respectfully submit that Kondo '067 fails to disclose, implicitly or explicitly, a generating of a unit wobble signal that is alternatively one of at least four different unit wobble signals having N carriers and a portion of which is modulated using a different modulation method than another portion, as recited in amended claim 17.

Regarding the rejection of claims 18-20, as noted above, these claims have been cancelled without prejudice or disclaimer. Accordingly, the rejection of claims 18-20 is now moot.

Regarding the rejection of claim 21, it is noted that this claim depends from claim 17 and is, therefore, allowable for at least the reasons set forth above. Furthermore, it is noted that amended claim 21 recites an inserting of signals of address data generated by the second modulation method between pattern signals of the address data generated by the first modulation method to indicate the coded address data. In contrast, Fig. 9 and paragraph [00167] cited by the Examiner disclose a recording of address data using an amplitude modulation method, and Fig. 10 and paragraph [0171] cited by the Examiner disclose a recording of address data using a frequency modulation method. However, Kondo '067 does not suggest a method of combining the two signals of the address data. Each of the cited portions of Kondo '067 discloses a uniform recording of address data (as opposed to a portion recorded with one modulation method and another portion recorded with another modulation method). Therefore, the Applicants respectfully submit that Kondo '067 fails to disclose, implicitly or explicitly, an inserting of signals of address data generated by a modulation technique between signals of the address data generated by another modulation technique, as recited in amended claim 21.

Regarding the rejection of claims 22-24, it is noted that these claims depend from claim 17 and are, therefore, allowable for at least the reasons set forth above.

Regarding the rejection of claim 25, it is noted that this claim depends from claim 17 and is, therefore, allowable for at least the reasons set forth above. Furthermore, it is noted that claim 25 teaches a signal that indicates a start of the coded address data. In contrast, Kondo '067 discloses only the recording of the address data. Specifically, the Examiner cites Fig. 12 as a teaching of the signal indicating the start of the coded address data. However, Fig. 12 only illustrates a Phase modulation signal of the address data, and does not illustrate a signal indicating the start of the address data. Therefore, the Applicants respectfully submit that Kondo '067 fails to disclose, implicitly or explicitly, a generating of a signal indicating a start of the coded address data, as recited in amended claim 25.

Regarding the rejection of claims 26-28, as noted above, these claims have been cancelled without prejudice or disclaimer. Accordingly, the rejection of claims 26-28 is now moot.

Regarding the rejection of independent claim 43, it is noted that amended claim 43 teaches a process of modulating address data of a recording medium by generating a unit wobble signal, where "the unit wobble signal is alternatively one of at least four different unit wobble signals and has N carriers," and a portion of the unit wobble signal is modulated using a different modulation method. In contrast, Kondo '067 discloses a method of recording by using different modulation methods. That is, while the instant application recites a method of using a different modulation method on a **portion** of the unit wobble signal, Kondo '067 recites a recording by using different modulation methods on an entirety of the address code. Furthermore, Kondo '067 does not disclose the unit wobble signal that is alternatively one of at least four different unit wobble signals (as opposed to, for example, two different unit wobble signals corresponding to 0 and 1) having N carriers. Therefore, the Applicants respectfully submit that Kondo '067 fails to disclose, implicitly or explicitly, a generating of a unit wobble signal that is alternatively one of at least four different unit wobble signals having N carriers and a portion of which is modulated using a different modulation method than another portion, as recited in amended claim 43.

Regarding the rejection of claims 44-46, as noted above, these claims have been cancelled without prejudice or disclaimer. Accordingly, the rejection of claims 44-46 is now moot.

Regarding the rejection of claim 47, it is noted that this claim depends from claim 43 and is, therefore, allowable for at least the reasons set forth above. Furthermore, it is noted that amended claim 47 recites an inserting of signals of address data generated by the second

modulation method between pattern signals of the address data generated by the first modulation method to indicate the coded address data. In contrast, Fig. 9 and paragraph [00167] cited by the Examiner disclose a recording of address data using an amplitude modulation method, and Fig. 10 and paragraph [0171] cited by the Examiner disclose a recording of address data using a frequency modulation method. However, Kondo '067 does not suggest a method of combining the two signals of the address data. Each of the cited portions of Kondo '067 discloses a uniform recording of address data (as opposed to a portion recorded with one modulation method and another portion recorded with another modulation method). Therefore, the Applicants respectfully submit that Kondo '067 fails to disclose, implicitly or explicitly, a method of inserting signals of address data generated by a modulation technique between signals of the address data generated by another modulation technique, as recited in claim 47.

Regarding the rejection of claims 48-50, it is noted that these claims depend from claim 43 and are, therefore, allowable for at least the reasons set forth above.

Regarding the rejection of claims 51-58, as noted above, these claims have been cancelled without prejudice or disclaimer. Accordingly, the rejection of claims 51-58 is now moot.

#### **REJECTIONS UNDER 35 U.S.C. §103:**

Claims 13-16 and 29-32 are rejected under 35 U.S.C. §103(a) as being unpatentable over Kondo et al. '067 in view of Kondo et al '934 (U.S. Publication No. 2005/0099934). The Applicants respectfully traverse the rejection and request reconsideration.

Regarding the rejection of claim 13, it is noted that this claim depends from claim 1 and is, therefore, allowable for at least the reasons set forth above.

Regarding the rejection of claims 14-16, as noted above, these claims have been cancelled without prejudice or disclaimer. Accordingly, the rejection of claims 14-16 is now moot.

Regarding the rejection of claim 29, it is noted that this claim depends from claim 17 and is, therefore, allowable for at least the reasons set forth above.

Regarding the rejection of claims 30-32, as noted above, these claims have been cancelled without prejudice or disclaimer. Accordingly, the rejection of claims 30-32 is now moot.

Based on the foregoing, this rejection is respectfully requested to be withdrawn.

**CONCLUSION:**

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 503333.

Respectfully submitted,

STEIN, MCEWEN & BUI, LLP

Date: \_\_\_\_\_

7/19/07

By: \_\_\_\_\_



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